

PART 6 - STYLE AND GRAMMAR GUIDELINES

STATEMENTS OF INTENT OR PURPOSE

A statement of legislative policy, purpose, or intent should not be used. Such statements are unnecessary as the purpose of a properly drafted bill should be self-evident. It is unknown how future amendments to the substantive provisions of the bill affect, or are affected by, a legislative policy, purpose, or intent statement that is not amended to reflect those future amendments. In addition, statements contained in a declaration of finding or intent may be used for a purpose unintended by the drafter. The North Dakota Supreme Court has referred to declaration of intent in finding a statute unconstitutional. For discussions of specific legislative intent statements see *Dickie v. Farmers Union Oil Co.*, 611 N.W.2d 168 (N.D. 2000), *Hanson v. Williams County*, 389 N.W.2d 319 (N.D. 1986), and *Arneson v. Olson*, 270 N.W.2d 125 (N.D. 1978) (statutes held unconstitutional). See also AGO 99-04 (state agency's general authority limited by statement of purpose). For a discussion of the effect of not having a specific intent statement see *Bellemare v. Gateway Builders, Inc.*, 420 N.W.2d 733 (N.D. 1988) (statute found to be constitutional).

DEFINITIONS

The purpose of a definition is to achieve clarity and consistency without repetition. Once a term is defined in a bill, that term should be used throughout the bill and the definition of that term should remain the same throughout the bill.

North Dakota Century Code Chapter 1-01 contains general principles and definitions applicable to the entire Century Code. Review the definitions contained in that chapter prior to creating and adding new definitions to a statutory provision. Review definitions applicable to the Century Code title and chapter in which the substance of a bill is located. Avoid duplicating definitions.

Do not define words that are self-explanatory. Definitions are shortcuts to save space in the statutes. For this reason, it is not necessary to define "attorney general" as "the attorney general of this state". However, shorten internal references used several times in a bill by defining such things as "department" instead of using "state department of health".

A definition should not include more than is needed for interpretation. Do not include regulatory material in a definition. For example, when defining the word "director", do not state the duties of the director. Put such material in a different section of the bill.

An exhaustive definition uses the word **means** while a partial definition uses the word **includes**. The use of the phrase "means and includes" creates an internal inconsistency because an exhaustive and a nonexclusive definition cannot be contemplated at the same time (*Hilton v. N.D. Educ. Assn.*, 655 N.W.2d 60 (2002)). **Do not use** the phrase "includes, but is not limited to" "Includes" is not a term of limitation. Use of this phrase calls into question the meaning of "includes" elsewhere in the code.

A section containing definitions should have the definitions in alphabetical order to assist readers in locating appropriate definitions.

An example of language used to introduce a series of definitions is as follows:

For purposes of this (title, chapter, section, etc.), unless the context otherwise requires:

CONSISTENCY

Be consistent throughout the bill or resolution. For example, do not refer to the “state engineer” in one sentence and the “chief engineer” in another sentence when referring to the same official. Be consistent in the use of ordinary words. For example, do not use “minor” in one sentence, “child” in another, and “juvenile” in another. Use of synonyms adds variety but may cause confusion. Courts will assume that use of different terms was intended to have different purposes.

GENDER

Avoid using **he** or **she** and **his** or **her** when referring to a person affected by a statute. When consistent with the standards of precision and clarity, use sex-neutral words such as applicant, applicant’s, candidate, candidate’s, commissioner, commissioner’s, individual, individual’s, person, person’s, etc. With respect to making a law sex neutral, it should be noted that North Dakota Century Code Section 1-01-34 provides that words of one gender include the other genders. In English, gender is related to sex or lack of sex. The genders are masculine, feminine, and neuter, e.g., he, she, and it.

Avoid the temptation to create or use an artificial term to avoid gender, such as describing the “chairman” as the “chair” or “chairperson”. Use “presiding officer” or other appropriate term.

Avoid use of a plural pronoun with a singular subject to avoid gender, such as stating that “a person shall use their discretion” Use the possessive form of the subject such as “person’s” or think of a way to restate your objective. The phrase “in his discretion” should simply be changed to “may”.

SINGULAR NUMBER

Use the singular number whenever possible. Avoid using phrases containing singular and plural numbers such as person or persons, rule or rules, statute or statutes, etc. North Dakota Century Code Section 1-01-35 provides that words used in the singular number include the plural and words used in the plural number include the singular, except when a contrary intention plainly appears. Adding “(s)” to the end of a word, in an attempt to make it both singular and plural, is improper.

ACTIVE VOICE

Use the active voice for conciseness and clarity. Voice indicates the relationship between the verb and its subject. The active voice emphasizes the one performing the action and is more direct. The passive voice emphasizes the receiver of the action and generally results in longer sentences with greater opportunity for ambiguity.

Passive	An order may be issued for payment of the fee by the commissioner to the applicant.
Active	The commissioner may order the applicant to pay the fee.
Passive	The fee must be paid to the commissioner.
Active	The applicant shall pay the fee to the commissioner.

Begin a sentence with a subject and consider who is being authorized, directed, or prohibited to act.

USE OF SHALL, MUST, MAY, MAY NOT, AND IS ENTITLED TO

Shall is used to qualify an active verb. **Must** is used to qualify an inactive verb or an inactive verb in the passive voice.

Use **shall** when you are imposing a duty on a person or body that is the subject in the sentence. Use **shall** in a mandatory or imperative sense. Example: “The licensee **shall**

give the debtor a copy of the signed contract.” Use **must** in reference to a thing rather than a person and to express status requirements, that is, statements about what people or things must be rather than what they must do. Examples: “The contract **must** contain two signatures.” “A candidate **must** be a resident of the county.”

Use **may** to confer a power, privilege, or right. Examples: “The applicant **may demand** (power) an extension of time.” “The applicant **may renew** (privilege) the application.” “The applicant **may appeal** (right) the decision.”

Whenever possible an obligation or discretion to act should be positively stated. However, if a right, privilege, or power is intended to be denied, **may not** should be used. Example: “The applicant **may not submit** (active voice) more than one application.”

Avoid use of “shall not” and “no person shall” because these phrases mean that **no one is required** to act. A statute that includes one of these phrases negates the obligation but not the permission to act. “A person may not” negates the permission to act and functions correctly as a complete prohibition.

Avoid using hortatory qualifiers, such as **will**, **should**, and **ought**, in the text of an Act. These terms may be more appropriate in a resolution instead of a bill.

Use **is entitled to** when describing a benefit or right a person may claim or exercise such as “a state employee is entitled to expense reimbursement. . . .” In these instances, using “shall receive” or similar mandatory phrasing would negate the option of not claiming or exercising a benefit or right.

USE OF WHICH AND THAT

Use **which** to introduce a nonrestrictive clause. Example: “The application, **which** need not be verified, must be signed by the applicant.”

Use **that** to introduce a restrictive clause modifying the **nearest** antecedent. Example: “An application to renew a **license that** has been revoked”

Use **which** to modify a **remote** antecedent in a restrictive clause. Example: “An **application** to renew a license **which** has been rejected” Consider rewording the sentence to avoid the use of **which** to modify a remote antecedent in a restrictive clause if the reference is not clear. Example: “If an application to renew a license has been rejected, the application”

USE OF SUCH

Do not use **such** as a substitute for “the”, “that”, “it”, “those”, “them”, or other similar words. Example: “**The** (not **Such**) application must be in the form the court prescribes.” Use **such** to express “for example” or “of that kind”.

USE OF IF, WHEN, WHENEVER, AND WHERE

Use **if** regarding a condition that may never occur. Use **when** regarding a condition that is certain to occur.

An appeal may be made to district court **if** it is filed within thirty days.

A court may order opening of the safety deposit box **when** the owner of the box dies.

Whenever is appropriate usage if the condition may occur more than once.

Whenever an offense is brought to the attention of the state’s attorney, the state’s attorney shall prosecute the offender.

Do not use “where” as a replacement for “if”, “when”, or “whenever”. Use “where” only regarding place.

USE OF THIS ACT

The words **this Act** are words of art and have a specific meaning in bill drafting. When language in a bill refers to **this Act** it means every provision contained in the bill. If language in a bill refers to **this chapter** it refers to the chapter of the Century Code in which the section is placed. In bills creating only new unnumbered provisions, reference should be to **this Act** not **this chapter**.

FEDERAL STATUTE AND REGULATION REFERENCES

A bill may adopt by reference an existing law or regulation of the United States. Reference to federal statutes and regulations should be as clear and complete as possible. References to federal laws should include citations to the Public Law, the Statutes at Large, and the United States Code. With respect to federal laws, if one citation is referred to in the state statute, the other parallel federal citations should be in brackets. References to federal regulations should cite the Code of Federal Regulations. Examples are:

under Public Law No. 92-75 [85 Stat. 213; 46 U.S.C. 1451 et seq.]
the Federal Boat Safety Act of 1971 [Pub. L. 92-75; 85 Stat. 213; 46 U.S.C. 1451 et seq.]
the Act of Congress entitled . . . [Pub. L. 75-415; 50 Stat. 917; 16 U.S.C. 669 et seq.]
under title 40, Code of Federal Regulations, part 61, section 1
title XVIII of the federal Social Security Act
[Pub. L. 97-34; 95 Stat. 202; 26 U.S.C. 161(1)7] [5 U.S.C. 7324 et seq.] under
40 CFR 61.1

NOTE: Except for future amendments to federal income tax laws, a bill may not adopt **future** amendments by reference. *State v. Julson*, 202 N.W.2d 145 (N.D. 1972); *Weber v. Weber*, 512 N.W.2d 723, 730-731 (N.D. 1994); *McCabe v. N.D. Worker's Compensation Bureau*, 567 N.W.2d 201 (N.D. 1997); Article X, Section 3, of the Constitution of North Dakota.

CITATION TO CONSTITUTION, LAWS, AND RULES

An example of a correct reference to a provision of the Constitution of North Dakota is:

section 1 of article IV of the Constitution of North Dakota **not** section 1 of article IV of the Constitution of this state

Examples of correct references to provisions of the North Dakota Century Code are:

section 1-02-37 **not** section 1-02-37 of this code **nor** section 1-02-37 of the North Dakota Century Code

chapter 1-02 **not** chapter 1-02 of this code **nor** chapter 1-02 of title 1, General Provisions

An example of a correct reference to a provision of the 2005 Session Laws is:

section 1 of chapter 208 of the 2005 Session Laws

Examples of the correct style of North Dakota Administrative Code citations are:

North Dakota Administrative Code section 36-02-01-17

North Dakota Administrative Code chapter 36-02-01

North Dakota Administrative Code article 36-02

North Dakota Administrative Code title 36

An example of a correct reference to the North Dakota Rules of Civil Procedure is:

rule 4 of the North Dakota Rules of Civil Procedure

ASSIGNMENT OF CENTURY CODE NUMBERS

Do not assign North Dakota Century Code numbers to those code chapters, sections, or subsections being created by a bill draft without specific prior approval of the number assignment by the code revisor of the Legislative Council. Contact the Legislative Council office for this approval, if needed. It is usually not necessary to number Century Code chapters, sections, or subsections being created because the code revisor will assign Century Code numbers to unnumbered, newly created permanent laws at the conclusion of the legislative session.

OBSOLETE STATUTORY REFERENCES

If the text of a section to be amended contains an internal statutory reference followed by an asterisk and a note following the section points out that the statute referred to has been repealed or is incorrect, determine what should be done with the reference. Usually the reference can either be deleted (indicated by overstrikes) or deleted and replaced with a correct reference (indicated by overstrikes and underscores).

SUBSECTIONS, SUBDIVISIONS, PARAGRAPHS, AND SUBPARAGRAPHS

A breakdown of statutory material should not be made which would result in only one subsection, subdivision, paragraph, or subparagraph. When subsections and subdivisions are enumerated within a section, begin with 1, 2, 3, etc., for the subsections and lowercased a, b, c, etc., for the subdivisions. If it is necessary to provide a further breakdown, use (1), (2), (3), etc., for paragraphs and (a), (b), (c), etc., for subparagraphs.

The end punctuation following each subsection should be either a semicolon or a period. If possible, use a period instead of a semicolon as punctuation between subsections. Do not use semicolons within the text of a subsection if a semicolon is used as punctuation between subsections. If the requirements are such that only one subsection is required to be met in the law (e.g., when only subsection 1, subsection 2, or subsection 3 is to apply), use wording to the effect that **any of the following** or **any one of the following** apply. If all requirements are to apply, use wording to the effect that **all of the following** are to be met. Of course, use of these terms depends upon the wording and construction of the section.

If the drafter uses semicolons at the end of subsections, subdivisions, or other divisions, there are two important points to observe:

1. Each subsection should begin with a word that ties into the lead-in language; and
2. Only the penultimate subsection should be followed by a semicolon and the word "or" or "and", depending on whether any or all subsections must be met.

Every subsection, subdivision, paragraph, and subparagraph must be in indented block style, regardless of whether the section contains introductory language to the subsections. If only one paragraph follows a subsection, the paragraph should not have a paragraph indent. If more than one paragraph follows a subsection, all paragraphs should have a paragraph indent.

Do not refer to subsection 1 “of this section”. It is unnecessary to designate the section in which a subsection referred to appears unless it is a section other than the one where the reference appears. Do not refer to “above” or “below”, as in the phrase “as described above”. **There is no above, below, or any other direction in statutory provisions.** References to language must be to a section, subsection, or other reference that identifies as restrictively as possible what language is intended by the reference.

The first word in every subsection, subdivision, paragraph, and subparagraph should be capitalized. The following example illustrates the indented block style to be used when a section is broken down to less than subdivisions:

- (Subsection) 1. “Employment” includes:
- (Subdivision) a. Service performed:
- (Paragraph) (1) In any calendar quarter in the employ of any organization exempt from income tax under section 501 of the federal Internal Revenue Code, if all of the following requirements are met:
- (Subparagraph) (a) The remuneration for the service exceeds fifty dollars.
- (b) The service is not in connection with the collection of dues or premiums for a fraternal benefit society, order, or association, and is performed away from the home office.

A reference to the location of a statutory provision must be preceded by the correct designation of whether it appears in a subsection, subdivision, paragraph, or other division. Avoid the mistake of referring to “this paragraph” if you are not referring to a numbered portion of a subdivision.

OFFICIAL TITLES OF PUBLIC ENTITIES

When referring to a public officer, agency, or organization in the text of a bill, use the official and correct title of the officer, agency, or organization. The official title is usually set out in the constitutional or statutory section that creates the position or agency.

There have been numerous changes in the names and titles of agencies, officials, and organizations since the original publication of the North Dakota Century Code in 1960. The following list is provided for your information:

Do Not Use	Use
area vocational and technology center	area career and technology center
Bismarck junior college	Bismarck state college
board for vocational education	state board for career and technical education
board of examiners on audiology and speech pathology	board of examiners on audiology and speech-language pathology
board of pardons	pardon advisory board
board of registry in podiatry	North Dakota board of podiatric medicine

Do Not Use	Use
bureau of criminal identification and apprehension	bureau of criminal investigation
business and industrial development commission	department of commerce
centennial trees program	trees for North Dakota program
central data processing	information technology department
chief of the bureau of criminal investigation	director of the bureau of criminal investigation
central personnel division	North Dakota human resource management services
city treasurer	city auditor
civil defense worker	disaster emergency worker
coal development impact office	energy development impact office
commandant (veterans' home)	administrator (veterans' home)
commission on judicial qualifications	commission on judicial conduct
commissioner of agriculture and labor	agriculture commissioner or labor commissioner
commissioner of insurance	insurance commissioner
commissioner of securities	securities commissioner
council on the arts and humanities	council on the arts
county court	district court
county judge	district judge
county justice	district judge
county justice court	district court
county welfare board	county social service board
crime victims reparations	crime victims compensation
dairy products promotion commission	dairy promotion commission
department of accounts and purchases	office of management and budget
department of banking and financial institutions	department of financial institutions
department of corrections	department of corrections and rehabilitation
department of economic development and finance	department of commerce
department of health and consolidated laboratories	state department of health
developmental center at Grafton	developmental center at westwood park, Grafton
Dickinson state college	Dickinson state university
director of institutions	office of management and budget facility management division
director of vocational education	director of career and technical education
division of community services	department of commerce division of community services
division of emergency management	department of emergency services
division of vocational rehabilitation	vocational rehabilitation division
economic development commission	department of commerce division of economic development and finance
employment security bureau	job service North Dakota
extension division	North Dakota state university extension service
family court	district court
farm credit counseling program	agricultural mediation service
game and fish commissioner	director of the game and fish department

Do Not Use	Use
Grafton state school	developmental center at westwood park, Grafton
highway commissioner	director of the department of transportation
highway department	department of transportation
industrial school	North Dakota youth correctional center
information services division	information technology department
judicial council	judicial conference
judicial qualifications commission	judicial conduct commission
labor department	department of labor
lake region community college	lake region state college
legislative research committee	legislative council
legislature	legislative assembly
livestock sanitary board	state board of animal health
Mayville state college	Mayville state university
mental health and retardation division	developmental disabilities division
milk stabilization board	milk marketing board
Minot state college	Minot state university
motor vehicle department	department of transportation
multicounty welfare districts	multicounty social service districts
multidistrict vocational education center	area career and technology center
municipal bond bank	public finance authority
North Dakota industrial school	North Dakota youth correctional center
North Dakota respiratory care examining board	state board of respiratory care
North Dakota state farm	Missouri River correctional center
North Dakota State University - Bottineau	Minot State University - Bottineau
North Dakota trade commission	attorney general
office of intergovernmental assistance	department of commerce division of community services
outdoor recreation agency	parks and recreation department
parks and tourism department	parks and recreation department
police magistrate	municipal judge
poultry improvement board	agriculture commissioner
register of deeds	recorder
registrar of motor vehicles	director of the department of transportation
school board treasurer	school board manager
school district clerk	school district business manager
school for the blind	North Dakota vision services - school for the blind
sheltered workshop advisory committee	vocational rehabilitation facilities advisory committee
social service board of North Dakota	department of human services
soldiers' home	veterans' home
state auditing board	office of the budget
state bar board	state board of law examiners
state board of embalmers	state board of funeral service
state board of hairdressers and cosmetologists	state board of cosmetology
state board of vocational education	state board for career and technical education

Do Not Use	Use
state department of health and consolidated laboratories	state department of health
state developmental center at Grafton	developmental center at westwood park, Grafton
state employment service	job service North Dakota
state examiner	commissioner of financial institutions
state federal aid coordinator	department of commerce division of community services
state highway commissioner	director of the department of transportation
state highway department	department of transportation
state industrial school	youth correctional center
state library commission	state library
state park service	parks and recreation department
state parks and recreation department	parks and recreation department
state seed mediation board	state seed arbitration board
sunflower council	oilseed council
teacher's insurance and retirement fund	teachers' fund for retirement
tourism department	department of commerce division of tourism
town	city
unemployment compensation division	job service North Dakota
unemployment compensation law references to "this title" in chapters 52-01 through 52-07.1	North Dakota unemployment compensation law
University of North Dakota - Lake Region	lake region state college
University of North Dakota - Williston	Williston state college
Valley City state college	Valley City state university
veterans' aid commission	department of veterans' affairs
village	city
vocational education	career and technical education
water conservation commission	water commission
water management district	water resource district
weather modification board	atmospheric resource board
workmen's compensation	workforce safety and insurance
workmen's compensation fund	workforce safety and insurance fund

USE OF MUNICIPALITY

Do not refer to villages. The only type of municipal government customarily referred to as a city, town, or village is a city. Use the term **city** instead of **municipality** when it is intended that the **only** type of government involved is a city. Municipality is a term often used to include different types of political subdivisions and combinations of subdivisions, and such usage is discouraged because of the varied and confusing use of "municipality" in existing law. Seek an alternative term unless "municipality" is defined in the code area in which you are drafting, and then use "municipality" only after close attention to that definition. A May 2006 Attorney General opinion basically concludes that use of the word municipality is always ambiguous and legislative intent must be examined. Letter Opinion 2006-L-18.

REPETITION

Avoid repetitious language. For example, instead of setting out similar licensing requirements in two very long, nearly identical statutes, the two statutes could be broken into three separate statutes. One statute would contain the requirements applicable to both types of licenses and the dissimilar requirements would comprise the two separate smaller statutes.

SECTION LENGTH

Each section should cover only one topic. The preferable section length is one short paragraph. A long section may indicate that too much material is covered.

The purpose of a short section is to make it easy to locate everything in the section by reading the caption. A short section also results in index entries that accurately describe the contents of the section.

BLANKS OR BRACKETED MATERIAL

Although sections of a bill may contain blanks or bracketed material in initial drafts, incomplete bills should not be introduced. There is a danger when introducing a bill with blanks that the bill will inadvertently not be completed and become law in that form.

WORD USAGE

Bill drafts should be precise and understandable. This is usually achieved by avoiding excessively long sentences, wordiness, and legalese. Never use many words where a few will do. Try to use language used in normal conversation and correspondence. Note the definitions and usage comments in North Dakota Century Code Chapter 1-01.

Sentences should be no longer than 17 to 21 words to be easily understood. Excessively long sentences make statutes difficult to read and interpret.

Certain words are used in bill drafting either because they sound or look legal and important, or because they have been used since time immemorial. Occasionally some of this legalese may actually be needed, but generally it should be avoided.

The following is a list of some of the words and phrases to avoid in bill drafting and some suggested substitutes:

Avoid Using	Use
provided further or provided however or provided that	except or but or however or start a new sentence (It is better to start a new sentence.)
aforesaid or aforementioned or beforementioned or said	the or that or those
under the provisions of	under
it is lawful to	may
is empowered to	may
is authorized to	may
is hereby authorized to	may
shall have the power to	may
may, in his discretion	may
in no case shall	may not
it is unlawful to	may not

Avoid Using	Use
no person may	a person may not
is prohibited from	may not
it is his duty to	shall
is required to	shall
is directed to	shall
is hereby authorized and it shall be his duty to	shall
is defined to mean	means
is hereby vested with power and authority and it shall be his duty in carrying out the provisions of this Act to	shall
shall be construed to mean	means
shall mean	means
includes, but is not limited to	includes
means and includes	either word (as appropriate)
and/or	X and Y; X or Y; X or Y, or both
for the reason that	because
in order to	to
in favor of	for
full force and effect	force or effect
absolutely null and void and of no effect	void
null and void	void
bonds, notes, checks, drafts, and other evidences of indebtedness	evidences of indebtedness
any or all	either word (as appropriate)
each and all	either word (as appropriate)
each and every	either word (as appropriate)
at the time	when
at such time as	when
during such time as	while
until such time as	until
unless and until	either word (as appropriate)
be and the same is hereby	is
in cases in which	when or if
in case of	when or if
in case	if
in conjunction with	with
in the event that	if
formulate	make
prior to	before
during the course of	during
for the duration of	during
subsequent to	after
on or after	after
from and after	after
forthwith	immediately

Avoid Using	Use
give consideration to	consider
give recognition to	recognize
have knowledge of	know
have need of	need
make application	apply
make payment	pay
enter into an agreement with	agree with
make provision	provide
or, in the alternative	or
sole and exclusive	exclusive
together with	with
utilize	use
whatsoever	whatever
wheresoever	wherever
whosoever	whoever
whensoever	when or if

The words hereinafter, hereinbefore, hereinabove, above, below, following, or preceding are objectionable when referring to the position of a section or other statutory provisions. If reference is necessary, specify the chapter, section, or subsection.

Avoid the common error of using “where” when you mean “if”.

ABBREVIATIONS AND ACRONYMS

Do not use abbreviations or acronyms. All agency names, publications, and other commonly abbreviated words must be spelled out. Compass directions, degrees, latitudes, etc., are spelled out. In plats of territory, spell out township, range, degrees, and minutes. For example:

southeast quarter of section one, township one hundred north, range sixty-five
west of the fifth meridian

CAPITALIZATION

These are the basic rules for determining whether to capitalize a word or phrase for bill drafting purposes:

1. Capitalize the first word in a sentence and the first word paragraphed after a colon, e.g., the first word of a subsection, subdivision, paragraph, and subparagraph.
2. Capitalize proper names, but do not capitalize the names of agencies, boards, commissions, departments, offices, or institutions.
3. Capitalize titles only when preceding a name, e.g., Governor Blake.
4. Capitalize United States and names of states, counties, cities, and townships.
5. Capitalize months and days of the week.
6. Capitalize compilations or codifications of constitutions, statutes, and rules.
7. Capitalize the word Act when referring to a specific legislative enactment.

8. Capitalize references to the Deity.
9. Capitalize names of publications.
10. Lowercase the word or phrase in case of doubt.

NOTE: Different rules of capitalization apply when drafting a resolution. Titles of officers and names of agencies are capitalized except within current or proposed text of language to be contained in the Constitution.

Examples of correctly capitalized words or phrases are:

Act of Congress

Administrative Agencies Practice Act

American bar association

Bank of North Dakota

Bible

Bismarck

Cass County

Chatfield Township

city of Bismarck (**Bismarck** is preferred usage)

Commonwealth of Puerto Rico

Congress

Congress of the United States (but **lowercase all other federal agencies**)

Constitution of North Dakota

Constitution of the United States

county of Cass (**Cass County** is preferred usage) (when plural, e.g., counties of Morton, Cass, and Ward; Burleigh and Morton Counties)

federal Internal Revenue Code (**federal** is lowercased unless part of the name)

federal Social Security Act

form W-2

Garrison Diversion Conservancy District

Garrison diversion unit

general election

initiated measure No.

interim

internal revenue service

International Peace Garden

James River correctional center

lands and minerals trust fund

Lewis and Clark bicentennial

medicaid

medicare

Missouri River basin project

National Building Code
North Dakota
North Dakota Administrative Code
North Dakota Century Code
North Dakota Development Fund, Incorporated
North Dakota Rules of Civil Procedure
North Dakota state fair association
North Dakota Unemployment Compensation Law
North Dakota Workers' Compensation Law
Oahe bridge
Oahe Reservoir
of this constitution
President of the United States
rocky mountain elk foundation
rocky mountain interstate compact on low-level radioactive waste
rule 40 of the North Dakota Rules of Civil Procedure
schedule C
section 3 of this Act
securities and exchange commission
Senate Bill No. ____
state of North Dakota (**North Dakota** is preferred usage)
supreme court
Technology Transfer, Incorporated
Three Affiliated Tribes
Unemployment Compensation Law
Uniform Commercial Code
Uniform Controlled Substances Act
Uniform Probate Code
United States
United States government
United States highway 141
United Tribes
west river water supply district
work force 2000 program
20____ Session Laws

Unlike capitalization in bills, names of agencies, etc., should be capitalized in resolutions.

CLOCK TIME AND DATES

Clock time is always written, e.g., nine a.m., twelve noon, four-thirty p.m., or twelve midnight. If month, day, and year are to be used, use numerals, e.g., July 1, 2007. If language follows the year, a comma should be inserted after the year, e.g., July 1, 2007, is the correct date. If only the month and day are used, spell all dates, e.g., December thirty-first. If only the month and year are used, do not insert a comma after the month, e.g., July 2007.

DOLLAR AMOUNTS

Except in appropriation bills and appropriation sections, spell all amounts, e.g., one thousand two hundred dollars (not twelve hundred dollars); thirty-two dollars and fifty cents. Do not follow with figures in parentheses.

HYPHENATION

Many words are no longer used with a hyphen, while the use of a hyphen is retained for some words. Do not hyphenate words ending with **ly** used as unit modifiers. For correct word hyphenation, refer to the *United States Government Printing Office Style Manual* or a modern dictionary, preferably *Webster's Third New International Dictionary* or *Black's Law Dictionary*. Examples are:

- A-B-C-D -

able-bodied	clerk-typist
aboveground	clock-hour
accontholder	collocate
afterborn	commingling
agriculturally related enterprise	common-law (u.m.)
air-condition (all forms)	contractholder
all-terrain	cooperate
at large	cooperative
audiovisual	coowner
boarding home	cost of living
bona fide	cost-benefit analysis
bowhunter	cost-effective (u.m.)
branch lines	cost-sharing
byproducts	coursework
caregiver	credit card holder
carryover	credit-hour (u.m.)
caseload	cross section
catchup	crossover
centerline	cross-reference
certificate holder	data base
child care	date-stamped
child placing (n.)	decisionmaking
child-placing (u.m.)	defense-dependent (u.m.)
classrooms	districtwide

- E-F-G-H -

elective-share (u.m.)	floodway
en route	followup (n., u.m.)
ex officio	franchise holder
factfinding	full-time (u.m.)
family-type	fur-bearing
farmland	good-natured
federal aid	grantmaking
federal-aid highway	grants-in-aid
federal-aid road	ground water
federally funded program	half-hour (u.m.)
firefighting	hands-on (u.m.)
first aid (n.)	haul road
first-aid (u.m.)	high-quality (u.m.)
five million dollars' worth	home-office (u.m.)

floodplain
floodwaters

horse racing
housebound

- I-J-K-L -

income producing (n.)
income-based
income-producing (u.m.)
infrared
in-kind
insofar
interagency
interest-bearing (u.m.)
jobsite
land use
last-known (u.m.)
layman
laymember

layperson
laywoman
licenseholder
lienholder
life-prolonging (u.m.)
life-sustaining (u.m.)
logoff (n., u.m.)
logon (n., u.m.)
long-distance (u.m.)
long-term (u.m.)
longstanding (u.m.)
lost-time benefits
lump sum

- M-N-O-P -

machine gun
members-elect
micro-organism
middle-grade
middle-level
minimarket
mobility-impaired (u.m.)
mortgageholder
multicounty
near-poor
no-fault
no-mow
noncancelable
noncoal
non-coal-producing
nonparty
non-self-propelled
no-party (u.m.)
offpremise
offtrack
old-age and survivor insurance system
old-age survivors' fund
on sale
one and one-fourth mills
one and twenty-five hundredths
one hundred twenty-day period
one-mill levy
one-tenth of one mill
one-year term
online
onsite
overall

part-time (u.m.)
passthrough (n., u.m.)
past-due (u.m.)
per centum
per student
percent
permitholder
per pupil
phase in (v.)
phasein (n., u.m.)
phaseout (n., u.m.)
pledgeholder
post mortem (n.)
post office (building)
post-mortem (u.m.)
post-office (address, u.m.)
postreclamation
postseason
postsecondary
pre-award
predisaster
preemption
preexisting
pre-injury (u.m.)
pre-need funeral plan
pretreatment
pretrial
pro rata
profit-sharing (u.m.)
prorated
pull tab

- Q-R-S-T -

ranchland
ratemaking
receiptholder
recordholder
recordkeeping
reelected
reenacted
reengrossed
reexamined
rereferred
revenue sharing (n., u.m.)

setoff (n., u.m.)
sewerline
shutoff (n., u.m.)
signoff (n., u.m.)
signon (n., u.m.)
single-family (u.m.)
single-use (u.m.)
startup
state unified
state-chartered
state-owned

revenue-producing
 right of way (n.)
 right-of-way (u.m.)
 riverbed
 rough rider award
 roughrider industries
 rulemaking
 school board
 school-age (u.m.)
 schoolbus
 schoolteacher
 second hand (n.)
 secondhand (adv., u.m.)
 securityholder
 self-esteem (n.)

state-subsidized (u.m.)
 statewide
 submachine gun
 subspecies
 subvoucher
 summer-fallow (v.)
 systemwide
 ten days' notice
 thirty-two dollar fee
 three dollar fee
 titleholder
 toll-free (u.m.)
 top light
 tort-feasor
 trademark
 truck tractor (n.)

- U-V-W-X-Y-Z -

ultrahigh
 value-added impact study
 vice chairman
 vice presidency
 vice president
 warrant-check
 washrooms
 waste hauler

wastewater
 well baby care
 well bore
 well site
 well-being
 worked-over (u.m.)
 workflow
 work-over (u.m.)

METRIC MEASUREMENT EQUIVALENTS

North Dakota Century Code Section 46-03-10 requires the Legislative Council office to insert equivalent metric measurements in brackets wherever references to customary weights and measures appear in the laws of this state. The Legislative Council office will insert metric measurement equivalents in legislative enactments prior to codification if the enactment does not contain metric measurement equivalents and insertion of equivalents will not cause confusion or problems in readability. Do not use any commas in metric equivalents, e.g., [78924.35].

NUMBERS

Except for citation to statutes, rules, or executive orders, spell out all numbers. Spell out percentages, e.g., fifty percent, one hundred twenty-five percent. Do not follow with figures in parentheses. When it is necessary to avoid confusion when two numbers occur together, write ten 12-room houses, twelve 6-inch guns, one 100-pound weight, etc.

Exception: In resolutions use the numbers, but write out numbers nine and below, except an age or page number, e.g., 70 percent, seven years, 2 years of age.

ORTHOGRAPHY

For word spellings and word divisions, use the *United States Government Printing Office Style Manual*, or a modern dictionary, preferably *Webster's Third New International Dictionary* or *Black's Law Dictionary*. Preferred spellings for some common words with alternate spelling are as follows:

accessible
 acknowledgment
 adviser
 analog
 archaeology
 baptisteries
 benefited
 briquette
 canceled

judgment
 kidnapping
 labeling
 liquefied
 liquefy
 marijuana
 marshal (n.)
 marshall (v.)
 occasion

canceling
cancellation
cargoes
collectible
computer disk
drought
ensure
impaneled
impaneling
intervenor
inure

parimutuel
payer
requester
sulfur
supersede
theater
totaled
transferable
traveled
uncollectible
usable

PUNCTUATION

Observe grammatical rules in punctuation. Punctuate when it will clearly aid understanding, but avoid overpunctuation. Colons and semicolons should be placed inside the quotation marks only when they are a part of the quotation; otherwise place them outside the quotation marks.

In legislative drafting and certain other classes of work showing amendments, all punctuation marks are placed after the quotation marks when not a part of the quoted matter. For example:

“Slingshot” does not include a device commonly known as a “zipgun”.

Delete the words “one, two,” “seven”, and “eight” and insert the word “several”.

The comma is used to separate the units of a series of similar expressions. Letters, words, phrases, clauses, figures, and signs should be separated by commas. When the last two units of a series are connected by a conjunction, i.e., “and” or “or”, use a comma before the conjunction. If the units of a series are all regularly connected by conjunctions, then no commas are necessary.

Do not use quotation marks to designate colloquial or informal use of words or phrases. Quotation marks will not repair imprecise or undefined usage.

Do not use parentheses in statutes. Parentheses are often used by inexperienced drafters to give an example or to provide an alternative restatement of language used. If you feel the urge to insert a parenthetical, you should reconsider the language you are attempting to explain.